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BEFORE THE ARIZONA CORPORATION COMMISSION

AZ CORP COMMISSION

DOCKET CONTROL

**COMMISSIONERS**

GARY PIERCE- CHAIRMAN

BOB STUMP

SANDRA D. KENNEDY

PAUL NEWMAN

BRENDA BURNS

2012 APR 30 PM 4:27

PAC-WEST TELECOMM, INC.

Complainant,

vs.

QWEST CORPORATION,

Respondent.

LEVEL 3 COMMUNICATIONS, LLC

Complainant,

vs.

QWEST CORPORATION,

Respondent.

DOCKET NO. T-01051B-05-0495

DOCKET NO. T-03693A-05-0495

Arizona Corporation Commission

**DOCKETED**

APR 30 2012

DOCKETED BY

TJM

DOCKET NO. T-03654A-05-0415

DOCKET NO. T-01051B-05-0415

**COMMENTS IN RESPONSE TO  
MARCH 20, 2012 PROCEDURAL  
ORDER**

Level 3 Communications, LLC (Level 3) submits these comments in response to the March 20, 2012 Procedural Order in this docket.

The Procedural Order stated that "At this point, it appears that there are no issues of material fact that would require an evidentiary proceeding, and that the matter can probably be resolved based on the parties' legal briefs and legal arguments." However, as Level 3 has been preparing its filing of supplemental authority and arguments (due on May 10, 2012), it has become apparent that, depending on how the Commission were to rule on various contested issues, final resolution of the case may, in fact, require additional evidentiary hearings beyond the oral argument

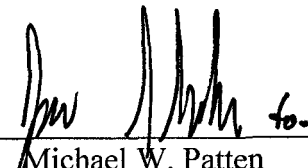
**ROSHKA DEWULF & PATTEN, PLC**  
ONE ARIZONA CENTER  
400 EAST VAN BUREN STREET - SUITE 800  
PHOENIX, ARIZONA 85004  
TELEPHONE NO 602-256-6100  
FACSIMILE 602-256-6800

1 scheduled for May 18, 2012. Level 3 will provide a fuller explanation of the situations in which an  
2 evidentiary hearing would be necessary in its May 10 filing of supplemental authority.

3 Moreover, as requested in the Procedural Order, Level 3 requests that the procedural issues  
4 regarding a future evidentiary hearing be addressed at the May 18 hearing in addition to oral  
5 argument on the legal briefs. Level 3 does not request that any evidence be taken at the May 18  
6 hearing.

7 RESPECTFULLY SUBMITTED this 30<sup>th</sup> day of April, 2012.

8 Level 3 Communications, LLC

9  
10 By   
11 Michael W. Patten  
12 Roshka DeWulf and Patten, PLC  
13 400 East Van Buren Street, Suite 800  
14 Phoenix, Arizona 85004

15 and

16 Christopher Savage  
17 Davis Wright Tremaine LLP  
18 1919 Pennsylvania Avenue NW, Suite 800  
19 Washington, DC 20006

20 Attorneys for Level 3 Communications, LLC

21 Original and 13 copies of the foregoing  
22 filed this 30<sup>th</sup> day of April 2012 with:

23 Docket Control  
24 Arizona Corporation Commission  
25 1200 West Washington Street  
26 Phoenix, Arizona 85007

27 Copy of the foregoing hand-delivered/mailed  
this 30<sup>th</sup> day of April 2012 to:

Jane Rodda, Esq  
Administrative Law Judge  
Hearing Division  
Arizona Corporation Commission  
400 West Congress  
Tucson, Arizona 85701

ROSHKA DEWULF & PATTEN, PLC  
ONE ARIZONA CENTER  
400 EAST VAN BUREN STREET - SUITE 800  
PHOENIX, ARIZONA 85004  
TELEPHONE NO 602-256-6100  
FACSIMILE 602-256-6800

1 Maureen A. Scott, Esq  
Legal Division  
2 Arizona Corporation Commission  
1200 West Washington  
3 Phoenix, Arizona 85007  
  
4 Norman G. Curtright  
Corporate Counsel  
5 Qwest Corporation  
20 East Thomas Rd, 16<sup>th</sup> Floor  
6 Phoenix, Arizona 85012  
  
7 Craig Marks  
Craig A. Marks, PLC  
8 10645 North Tatum Blvd, Suite 200-676  
Phoenix, Arizona 85028  
9  
10 Steve Olea  
Utilities Division  
Arizona Corporation Commission  
11 1200 West Washington  
Phoenix, Arizona 85007  
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By Mary Ippolito